



UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

IN RE:

Alejandro Vincente Perez and  
Cathy Hanenberg Perez,  
  
Debtors.

Honorable I

Chapter 13

Bankruptcy No. 10-24182 RG

Alejandro Vincente Perez and  
Cathy Hanenberg Perez,

Adv. Proc. No. 11-ap-2711 RG

Plaintiffs,

v.

**Hearing Date: July 9, 2012  
@ 10:00 a.m.**


JPMorgan Chase Bank, N.A., Chase Home Finance  
LLC; and Phelan Hallinan & Schmieg, P.C.,

Defendants.

**ORDER ON MOTION OF DEFENDANT PHELAN HALLINAN & SCHMIEG, P.C.  
TO DISMISS AMENDED COMPLAINT AND FOR RELATED RELIEF**

The relief set forth on the following page is hereby **ORDERED**.

**DATED: 07/16/2012**

  
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Honorable Rosemary Gambardella  
United States Bankruptcy Judge

In re Alejandro Vicente Perez and Cathleen Hanenberg Perez  
Case No. 10-24182 RG  
Order on Motion to Dismiss by Defendant Phelan Hallinan & Schmieg, P.C., and for Related Relief  
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This matter having come before the Court upon the Motion of Defendant Phelan Hallinan & Schmieg, P.C. (“PHS”) to Dismiss PHS from this Adversary Proceeding (the “Motion”), and notice of the Motion having been given and served by PHS upon the Office of the United States Trustee, the Debtors, and all necessary parties, and the Court having considered the submissions of the parties and the arguments of counsel at the hearing conducted on July 9, 2012, and after due deliberation, and good and sufficient cause appearing therefore, it is hereby ORDERED:

1. The relief requested in the Motion is GRANTED in part.
  2. Debtors shall file a further amended complaint by July 31, 2012 which shall clarify which claims, allegations and prayers for relief are directed against PHS.
  3. Following service of such further amended complaint, PHS may file a supplemental motion to dismiss and accompanying brief detailing its reasons why the complaint fails to meet applicable pleadings standards, which the Court shall list for a further hearing.
  4. PHS’s request for sanctions is DENIED without prejudice on procedural grounds.
- The Court will conduct a settlement conference with all parties by phone on July 25, 2012 at 2 p.m.